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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant : VICTORIA PARTNERS

Mark : MONTE CARLO in Int. Class 41

Serial No.: 76/284,329

Published : October 19, 2004

MOTION FOR 90 DAY EXTENSION OF TIME  
TO FILE NOTICE OF OPPOSITION

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513



ATTN: TTAB

11-08-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #11

Sir:

The undersigned attorney, on behalf of SOCIÉTÉ ANONYME DES BAINS DE MER ET DU CERCLE DES ETRANGERS À MONACO, requests a ninety day extension of time to file a Notice of Opposition against the above-noted mark. The extension of time, if granted, will extend the deadline for filing a Notice of Opposition, or taking other appropriate action, such as gathering evidence, from November 18, 2004 the current deadline to February 16, 2005.

The potential opposer filed an application to secure protection for its mark, CASINO DE MONTE-CARLO, on May 2, 2002. Such application, which embraces "operating resort and gambling facilities; casino gambling; sports and cultural events, etc. . . .", has been accorded S.N. 76/404,532. The date of first use, anywhere in the world, asserted in such application is 1863, and a 1984 date of first use in the United States is also asserted. A country of origin registration under Section 44(e) was made of record in application Serial No. 76/404,532.

Prosecution of application S.N. 76/404,532 has been suspended, pending disposition of application S.N. 76/284,329, and significant commercial rights, held by the potential opposer, may be impaired.

The potential opposer has taken other steps to protect its famous mark, CASINO DE MONTE-CARLO. Such efforts are detailed in the decision rendered by the U.S. Court of Appeals for the Fourth Circuit on May 19, 2003. The case in point is entitled International Bancorp LLC v. Societe Anonyme de Bains de Mer et du Cercle des Etrangers a Monaco, reported at 66 USPQ 1705.

Attorney for potential applicant has set forth "good cause" for granting the requested ninety day extension of time to file a Notice of Opposition. More specifically, the ninety day extension period will enable the potential opposer additional time to obtain the file history of the published application (which has been unavailable for three weeks due to relocation of the paper files of the Trademark Office to Alexandria), investigate the usage of its own famous mark in the United States, and reach a reasoned decision as to whether an Opposition is warranted.

Respectfully submitted,

A handwritten signature in dark ink, reading "Martin P. Hoffman", is written over a horizontal line.

Martin P. Hoffman  
Attorney for Potential Opposer  
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November 8, 2004

Attorney's Docket: T-7783.Ext/bh